



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB4248**

Introduced 12/13/05, by Rep. Bill Mitchell

**SYNOPSIS AS INTRODUCED:**

310 ILCS 65/10

from Ch. 67 1/2, par. 1260

Amends the Illinois Affordable Housing Act. Provides that Illinois Affordable Housing Trust Fund moneys may not be used to make a grant, mortgage, or other payment or loan to or on behalf of an individual who is an illegal alien. Effective immediately.

LRB094 13513 DRJ 48376 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning housing.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Affordable Housing Act is amended  
5 by changing Section 10 as follows:

6 (310 ILCS 65/10) (from Ch. 67 1/2, par. 1260)

7 Sec. 10. Trust Fund restrictions and stipulations. (a) All  
8 housing financed and all assistance provided from the Trust  
9 Fund shall be available to all eligible persons regardless of  
10 race, color, ancestry, unfavorable military discharge,  
11 familial status, marital status, national origin, religion,  
12 creed, sex, age, or disability.

13 (b) There shall be, on all assisted housing, a deed  
14 restriction, agreement, or other legal document which provides  
15 for the recapture of assistance upon terms and conditions to be  
16 specified in rules and regulations promulgated by the Program  
17 Administrator.

18 (c) Loans made by the Trust Fund may be at no interest or  
19 at below market interest rates, with or without security, and  
20 may include loans for predevelopment financing.

21 (d) Assistance may be provided for housing units for low  
22 and very low-income households within multi-family housing  
23 which is occupied partly by low and very low-income households  
24 and partly by households not qualifying as low or very  
25 low-income, subject to rules and regulations promulgated by the  
26 Program Administrator.

27 (e) Except to the extent provided in rules and regulations  
28 promulgated by the Program Administrator, no household shall be  
29 required to vacate or move from any assisted housing as a  
30 result of ceasing to qualify as a low or very low-income  
31 household under this Act.

32 (f) Rates not to exceed fair market rental may be charged

1 to any person or household which occupies any single family  
2 housing or unit of multi-family housing for the period that  
3 person or household does not qualify as low or very low-income.

4 (g) All housing assisted by the Trust Fund shall provide a  
5 residential antidisplacement and relocation assistance plan  
6 consistent with Section 507 of the federal Housing and  
7 Community Development Act of 1987.

8 (h) Multi-family housing assisted by the Trust Fund shall  
9 be prohibited from refusing to accept tenants for occupancy  
10 solely because the tenant receives governmental rental  
11 assistance.

12 (i) Trust Fund assisted multi-family housing is prohibited  
13 from evicting tenants without good cause.

14 (j) Assistance may be provided to housing whether or not  
15 such housing satisfies the definition of a "qualified  
16 residential rental project" set forth in Section 142 of the  
17 Internal Revenue Code of 1986, as amended.

18 (k) Housing assisted by the Trust Fund shall be required to  
19 meet energy efficiency standards which shall be established by  
20 the Program Administrator. Any review for affordability of  
21 assisted housing must include a review of energy costs.

22 (l) Manufactured housing which is manufactured entirely  
23 within the State shall be given priority over housing  
24 manufactured in whole or in part outside of the State.

25 (m) It is intended that Trust Fund monies not be used to  
26 supplant existing resources and that the Trust Fund shall be a  
27 funder of last resort.

28 (n) Prior to application of Trust Fund assets to provide  
29 assistance to affordable housing under this Act, Trust Fund  
30 assets may be invested in mortgage participation certificates  
31 representing undivided interests in specified, first-lien  
32 conventional residential Illinois mortgages which are  
33 underwritten, insured, guaranteed or purchased by the Federal  
34 Home Loan Mortgage Corporation. Trust Fund assets may also be  
35 used in such investments as may be lawful for fiduciaries in  
36 this State or in such investments which shall reduce the risk

1 associated with fluctuations in interest rates or market price  
2 of investments.

3 (o) Moneys in the Trust Fund may not be used to make a  
4 grant, mortgage, or other payment or loan to or on behalf of an  
5 individual who is an illegal alien.

6 (Source: P.A. 89-286, eff. 8-10-95.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.